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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,187	05/23/2000	Leonard R. Hoffman	99CR073/KE	3964

7590

05/13/2003

Rockwell Collins Inc
Attention Kyle Eppel
Intellectual Property Department
400 Collins Road NE M/S 124-323
Cedar Rapids, IA 52498

EXAMINER

ROBINSON, GRETA LEE

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 05/13/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,187

Applicant(s)

HOFFMAN ET AL.

Examiner

Greta L. Robinson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-14,17,18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-14,17,18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 02 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. Claims 1, 3-14, 17, 18 and 20 are pending in the present application.
2. Claims 2, 15, 16, and 19 have been canceled; and claims 1, 3, 8, 17, and 20 have been amended.

Drawings

3. The corrected or substitute drawings were received on February 21, 2003. These drawings are approved.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1, 3-14, 17, 18 and 20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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The following descriptive text does not appear to be described completely or properly:

At page 13 lines 6-8, the disclosure reads as follows: a “genology is a tree structure of versions where leaves represent the **latest-and-greatest versions**, and all other versions are kept for historical, checkpoint, release correlation, and component sharing purposes”. Applicant does not appear to define what is meant by the term latest-and-greatest versions. What is this type of version? It does not appear to be described in the disclosure.

At page 9 lines 15-18, a definition is given for versions, it states that they are copies that have a few relationship between them for management purposes. This definition is not clear. The standard concept of versions is well known; but Applicant’s definition does not appear clear.

At page 15, lines 5-6, reference is made to “*calculating the difference between A1 and A2.CP2.1*”; but the disclosure does not appear to describe how the changes are actually calculated.

The connection between the described elements with respect to the corresponding drawings is not described properly. Note, for example page 15 line 7 makes reference to elements “CP-3 and CP-4”; but the drawings make reference to these elements as “CP3” and “CP4”.

The definition of a change package on page 18 lines 3-7, does not appear to be described properly. It reads as follows, a “**change package (CP) is a collection of changes made for the same purpose.**” Applicant has not stated or defined what is meant by the term “the same purpose”. The sentence is not complete. What is the same purpose?

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Also, note the **definition of configuration items** on **page 20 lines 13-17**. It read as follows: "Configuration items (CIs) are objects under configuration control and come in **two flavors**: model and model folder." The meaning of Applicants description is not understood. The term flavors is used to describe food and generally not used as a technical term. Applicant's use of acroynms and non-standard terms that have not been defined and properly described makes enablement difficult, one of ordinary skill can not make or use the invention if it has not been properly described.

The limitations of claims 9 and 10 entail "creating" steps via a user intervention, but the disclosure does not appear to state what the user intervention comprises.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 3-14, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

fig. 4.
fig. 9.
Regarding claims 1 and 20, the following language is vague: "a copy of each object which directly and by ownership through another owner, owns said predetermined configuration item" [see claim 1 lines 11-13; see claim 20 lines 9-10]. Claims 3-8 are rejected based on dependency.

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Regarding claim 9, the following limitation is vague: "via an ODBMS user intervention" [see claim 9 lines 7-8]. The term ODBMS user intervention is vague; the specification does not appear to list the ODBMS user intervention. Claims 10-14 are rejected based on dependency.

8. While applicant may be his or her own lexicographer, a term in a claim may not be given a meaning repugnant to the usual meaning of that term. See *In re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). The term "disposed" in claims 1, 8 and 20 is used by the claim to mean "stored," while the accepted meaning is "to discard or to get rid of."

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 9 and 20 rejected under 35 U.S.C. 102(b) as being anticipated by Parrish et al. US Patent 5,659,735.

Regarding claim 1, Parrish et al. teaches a system for assisting a user with configuration management comprising: "an object-oriented database management system containing a plurality of configuration items" ... "having the ability for making changes" ... "a shared ownership" [see:

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abstract; figures 2, 4, 5, 8, and 9; col. 3 lines 30-56; col. 4 lines 20-55; col. 7 lines 18-65; col. 15 lines 20-67; and col. 19 lines 30-65].

Regarding claim 9: a method of managing a configuration of an engineering design, comprising the steps of ... creating, via an ODBMS user intervention, a newer version of one of said plurality of pre-existing objects ... a sharing relationship ... [see: figures 6, 7, and 8; col. Col. 8 lines 45-65; col. 11 lines 37-61; and col. 17 lines 40-67].

The limitations of claim 20 has been addressed above in claims 1 and 9; therefore it is rejected under the same rationale.

Response to Arguments

11. In the remarks Applicant argued the following: Parrish does not teach that there is included a copy of each object which directly owns each configuration item or multiple owners. There is no table containing a reference to each object that is a member object as stated in claim 8. Parrish does not teach a hierarchical data structure or adding program components.

In response: Parrish teaches a CreateDraft routine that makes a copy of each object see col. 14 lines 59-66 and col. 14 lines 52-65. A hierarchical data structure is suggested at col. 14 lines 31-41. The system is capable of multiple owners note project workspace figure 9, col. 17 lines 34-40 and col. 18 lines 50-67. The prior art rejection of claim 8 has been dropped.

Applicant's arguments filed February 21, 2003 have been fully considered but they are not persuasive.

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Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakano et al. US patent 6,505,212 B2

Thomas et al. US Patent 6,460,052 B1

Hammach et al. US Patent 6,449,624 B1

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta Robinson whose telephone number is (703)308-7565. The examiner

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can normally be reached Monday through Friday from 9:30 AM to 6:00 PM. If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached at (703) 305-9790.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703)746-7239, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or: (703)746-5657, (for informal or draft communications, please label "PROPOSED"
or "DRAFT").

Hand delivered responses should be brought to Crystal Park II, 2021 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703)305-9600.

Greta Robinson

Primary Examiner

May 8, 2003


GRETA ROBINSON
PRIMARY EXAMINER